Patrick W. Turner Assistant Vice President - Senior Legal Counsel AT&T Kentucky AT&T South Carolina

AT&T Services, Inc. Legal Department 675 West Peachtree Street, NW Suite 4323 Atlanta, GA 30308 T: 404-927-5290 pt1285@att.com

February 22, 2017

The Honorable Jocelyn Boyd Chief Clerk of the Commission Public Service Commission of South Carolina 101 Executive Center Drive, Suite 100 Columbia, South Carolina 29211

Re: TCA's Petition Requesting the Commission's Intervention in Numbering Resources Determinations

Summerville Rate Center – Hospital Corporation of America Docket No. ______

Dear Ms. Boyd:

Teleport Communications America, LLC ("TCA") respectfully encloses for filing a Petition for Review of Numbering Resources Determination in the Summerville Rate Center in the above-captioned matter. In summary:

TCA submitted an NXX Assignment Request via the Pooling Administration System on February 20, 2017;

TCA's customer requesting numbering resources is Hospital Corporation of America;

TCA requested the assignment of three contiguous thousands-blocks in the Summerville rate center, specifically 843-NXX-6XXX, 843-NXX-7XXX, and 843-NXX-8XXX.;

The request impacts the Summerville rate center;

At the time of the filing of the numbering resource request, the Summerville Rate Center had an MTE of 1.296 to 5.272 months for the relevant blocks.

At the time of the request, the Summerville Rate Center had a utilization of 34.8%.

By copy of this letter, I am serving a copy of this document on all parties of record as indicated on the attached Certificate of Service.

Sincerely,

Patrick W. Turner

PWT/mhs Attachment

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

In Re:	TELEPORT COMMUNICATIONS AMERICA, LLC)
	PETITION REQUESTING THE COMMISSION'S)
	INTERVENTION IN NUMBERING RESOURCES	<u> </u>
	DETERMINATIONS	<u> </u>
		Ó

PETITION FOR REVIEW OF NUMBERING RESOURCES DETERMINATION IN THE SUMMERVILLE RATE CENTER

Teleport Communications America, LLC ("TCA"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging numbering determinations, petitions the Public Service Commission of South Carolina ("Commission") for review of a recent denial of TCA's application for use of numbering resources in the 843 area code. Numbering determinations are made by the North American Numbering Plan Administrator ("NANPA") and/or the Pooling Administrator ("PA"), depending on the nature of the numbering request. The FCC's rules addressing these matters, however, generalize responsibilities of the NANPA and the PA under the heading "Central office code administration," and the FCC's Orders addressing these matters allow for challenges of determinations by both entities.² Accordingly, this Petition addresses the determination described herein and asks the Commission to direct NANPA and/or the PA to provide the requested relief to the extent it is within the

See, e.g., 47 C.F.R. §52.15.

See Third Report and Order and Second Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, Numbering Resource Optimization; etc., 17 FCC Rcd 252, ¶61 (2001) ("Third NRO Order").

respective authority and responsibility of NANPA and/or the PA to do so. The denial that is the subject of this Petition impacts TCA's customer Hospital Corporation of America.

In support of this Petition, TCA states:

- 1. TCA is a telephone utility that provides, among other things, intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Summerville exchange.
- 2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP").³
- 3. The PA is an independent non-governmental entity that is responsible for administering thousands-block number pooling.⁴
- 4. On March 31, 2000, the FCC issued an Order relating to numbering resource optimization.⁵ The goal of the *First NRO Order* was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers.
- 5. Among other things, the FCC required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. The FCC reaffirmed this

See 47 C.F.R. §52.7(g). See also 47 C.F.R. §52.20 ("Thousands-block number pooling is the process by which the 10,000 numbers in a central office code (NXX) are separated into ten sequential blocks of 1,000 numbers each (thousands-blocks), and allocated separately within a rate center.").

³ See 47 C.F.R. § 52.13 (a), (b).

See Report and Order and Further Notice of Proposed Rule Making, Numbering Resources Optimization, 15 FCC Red 7574 (2000) ("First NRO Order").

requirement in two subsequent orders.⁶ Prior to this ruling, the Central Office Code Assignment Guidelines used to make code assignments required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer's request with its current inventory of numbers in order for a code to be assigned.

- 6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center.⁷ The utilization threshold has increased by five percent per year, and it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources.⁸
- 7. On or about February 20, 2017, TCA submitted a Pooling Administration System request for the assignment of three thousands-blocks in the Summerville rate center to go with its customer's existing dialing plan. In order to meet the customer's express request for numbers, 9 TCA requested the assignment of three contiguous thousands-blocks in the Summerville rate

See Second Report and Order, Order on Reconsideration in CC Docket No. 96-98 and CC Docket No. 99-200, and Second Further Notice of Proposed Rulemaking in CC Docket No. 99-200, Numbering Resource Optimization, 16 FCC Red 306 at ¶29 (2000) ("Second NRO Order"); Third NRO Order at ¶48-49.

See Second NRO Order at ¶22; Third NRO Order at ¶¶50-52.

Third NRO Order at \P 50-52.

See Exhibit A to this Petition.

center, specifically 843-NXX-6XXX, 843-NXX-7XXX, and 843-NXX-8XXX. TCA does not have the existing numbers to meet the customer's request and, therefore, is requesting that a new code be opened and these numbers be assigned to it.

- 8. TCA's application was completed in accordance with Industry Numbering Committee ("INC") guidelines, and TCA filled out the necessary Month-to-Exhaust Certification Worksheets as required.
- 9. At the time of the filing of the numbering resource request, the Summerville Rate Center had an MTE of 1.296 to 5.272 months for the relevant blocks, and a utilization of 34.8%.¹¹
- 10. Thereafter, also on February 20, 2017, TCA's request was denied because TCA had not met the MTE and/or Utilization criterion now set forth in the INC Guidelines. TCA's numbering resource requests were denied despite the fact that TCA does not have adequate numbering resources needed to satisfy this customer's demands in the Summerville Rate Center.
- 11. TCA's inability to provide this important customer with the requested numbering resources prevents TCA from providing the quality of service this customer desires, needs, and expects. If TCA is not assigned the numbering resources needed to meet the customer's request, TCA will be unable to provide telecommunications services requested by its customer. The refusal to grant numbering resources sufficient to meet the needs of this customer is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from

See Exhibit B to this Petition.

See Id.

See Id.

receiving telecommunications services of their choice from providers of their choice for want of numbering resources."¹³

- 12. Both the FCC's rules and the INC Guidelines provide that state regulatory authorities have the power and authority to review a decision to deny a request for numbering resources.¹⁴
- 13. Prior to the FCC's Order and the resulting change in the INC Guidelines, the applicable MTE procedures permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, numbering determinations are based on the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." ¹⁵ In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." ¹⁶

Second NRO Order at ¶ 61.

See Third NRO Order, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); Third NRO Order at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines, INC 95-407-009,§ 13.0 (rev. April 26, 1999)(CO Code Guidelines) ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

¹⁵ Third NRO Order at ¶ 64.

¹⁶ Id.

14. TCA requests that the Commission reverse the decision to withhold numbering resources from TCA because that decision interferes with TCA's ability to provide telecommunication services to its customers.

15. This Commission (see Docket No. 2002 –185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and Tennessee similarly have recognized their jurisdiction and authority to review numbering denials and to order the release of number resources to TCA to meet customer needs.

WHEREFORE, TCA requests that the Commission:

Reverse the decision to deny TCA's request for additional numbering resources; Α.

Direct NANPA and/or the PA (to the extent it is within the respective authority В. and responsibility of NANPA and/or the PA to do so) to provide three consecutive thousands-blocks, specifically 843-NXX-6XXX, 843-NXX-7XXX, and 843-NXX-8XXX in the Summerville rate center; and

C. Grant the requested relief as soon as possible.

Respectfully submitted this **22nd** day of February, 2017.

Patrick W. Turner 675 W. Peachtree St., NE Room 4323

Patrice Turner

Atlanta, Georgia 30308

ATTORNEY FOR TELEPORT COMMUNICATIONS AMERICA, LLC

1165924

EXHIBIT A



Hospital Corporation of America®

February 14, 2017

HCA - Information Technology & Services, Inc. dba Summerville Medical Center 295 Midland Parkway Summerville, SC 29485

AT&T TNAC,

This Letter of Intent represents a request by Summerville Medical Center for a contiguous block of 3,000 new AT&T Telephone Numbers to be added to the IP Flexible Reach BVoIP Service on IPFlex circuit BKEC966260, SIID 8051481. Summerville Medical Center intends to order service, in the SUMMERVILLE SC rate center, on the SUVLSCMA switch pending AT&T's successful completion of the required testing. Summerville Medical Center intends to activate these numbers within 180 days from AT&T's receipt of the numbers.

HCA - Information Technology & Services, Inc. dba Summerville Medical Center currently has no existing network configuration and therefore technical restrictions do not exist.

At its founding in 1968, Nashville-based HCA was one of the nation's first hospital companies. Today, we are the nation's leading provider of healthcare services, a company comprised of locally managed facilities that includes about 165 hospitals and 115 freestanding surgery centers in 20 states and England and employing approximately 204,000 people. Approximately four to five percent of all inpatient care delivered in the country today is provided by HCA facilities.

Sincerely,

Senior Telecom Analyst

Cynthia Bailey

1 Dell Parkway

Nashville, TN 37217

615-344-8849

cynthia.bailey@hcahealthcare.com

EXHIBIT B

Central Office Code Assignment Guidelines (COCAG)

Central Office Code (NXX) Assignment Request-Part 1

att

Revised: January 4, 2016

Tracking

843-SUMMERVL-SC-985538

Number:

Full NXX: Pool Replenishment

Type of

✓ New

Change¹

Application:

Delete

1.0 GENERAL INFORMATION

1.1 Contact Information:

Code Applicant:

Company/Entity TELEPORT COMMUNICATIONS AMERICA - SC - LLC

Headquarters

Address:

One AT&T Way

City, State, Zip: Bedminster, NJ, 07921

Contact Name: Tammy Bryant

Contact

358 Old Main Street

Address: City:

Asbury

State: NJ

ZIP: 08802

Phone:

908-637-0179

210-Fax: 893-

2281

E-mail:

tbryant@att.com

Code Administrator:²

Name:

Michael Ortega

Address:

46000 Center Oak Plaza

City:

Sterling

State: VA

ZIP: 20166

571-

Phone:

866-623-2282

Fax: 434-

5502

NXX:3

LATA: 436

1.2 NPA: 843 OCN: 4635C

Parent Company's

OCN(s) 7125

Switching Identification (Switching Entity/POI)

CHTNSCDTX5Z

Locality/City/Wire Center: CHTNSCDTX5Z

	Rate	
	Center: ⁶ SUMMERVL	
**	Tandom II.	
Homing Tandem Operating Co.7: BELLSOU	TH CLLI ^{TM8} : CHTNSCDT60T	
	CLLI CHINSCHIOU	
1.2 D-4		
1.3 <u>Dates</u>		
	Requested Effective	
Date of Application: 02/20/2017	Date:9,10	
	04/27/2017	
By selecting this checkbox, I acknowledge that I am requesting the earliest possible effective date the Administrator can grant. Please note that this only applies to a reduction in the Administrator's processing time, however the request will still be processed in the order received.		
Request Expedited Treatment Yes	No. V	
Expedite Documentation must be provide	ed if "Request Expedite" = Yes	
Expedited Explanation:		
1.4 a) Type of Company/Entity Requesting Code (LEC, IC, CMRS, Other):		
c) Code Assignment Preserence (Optional) 843-xxx-6, 843-xxx-7, 843-xxx-8		
d) Codes that are undesirable, if any _		
e) Type of Change (Mark all that app	ly)	
OCN-Intra-company ¹¹ Swite Tandem Homing CLLI	ching Id Rate Center	
OCN-Inter-company ¹² Effect Reservations	ctive Date LATA Extend	
1.5 Type of Request (Initial, growth, etc.)	Growth	
If an initial code, attach (1) evidence of certifolace code in service within 60 days. If a growworksheet.		
Pooling Indicator: ¹³ ✓ Yes No		

1.6	NPA Jeopardy Criteria Apply: Yes No
1.7	Code request for new scrvice (Explain):
cut-o	It is the code applicant's responsibility to arrange input of Part 2 mation into BIRRDS. The 45-calendar day nationwide minimum interval over for BIRRDS will not begin until input into BIRRDS has been bleted.
Com	uments:

I hereby certify that the above information requesting an NXX code is true and accurate to the best of my knowledge and that this application has been prepared in accordance with Central Office Code (NXX) Assignment Guidelines posted to the ATIS web site (http://www.atis.org/inc/incguides.asp) as of the date of this application¹⁴.

Tammy Bryant
Signature of Code Applicant

¹Identify type and reason for change(s) in Section 1.4(e).

²A list of the current Code Administrator(s) who can provide assistance in completing this form is available upon request from NANPA.

³The NXX field is required for any code request in which there is a change or the NXX is being returned.

⁴Operating Company Number (OCN) assignments must uniquely identify the applicant. Relative to CO Code assignments, NECA-assigned Company Codes may be used as OCNs. Companies with no prior CO Code or Company Code assignments may contact NECA (800-228-8597) to be assigned a Company Code(s). Since multiple OCNs and/or Company Codes may be associated with a given company, companies with prior assignment should direct questions regarding appropriate OCN usage to the iconectiv Telcordia TM Routing Administration (TRA) on 732-699-6700.

⁵This is an 11 character descriptor of the switch provided by the owning entity for the purpose of routing calls. This is the 11 character Common Language[®]

Location Code (CLLITM Code) of the applicant's switch or POI. Common Language® and Telcordia® are registered trademarks and CLLITM, LERGTM Routing Guide and iconectivTM are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

⁶Rate Center name must be a tariffed Rate Center associated with toll billing.

⁷Applies to any code applicant connecting to the Public Switched Telephone Network via a tandem owned by a different carrier.

⁸This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the CLLITM Location Identification Code of the switching entity/POI, and is the same on Part 2, Form 1, Page 2 of 2.

⁹Code applicants should request an effective date that is at least 66 calendar days from the submission of this form. It should be noted that interconnection arrangements and facilities need to be in place prior to activation of a code. Such arrangements are outside the scope of these guidelines.

¹⁰Requests for code assignment shall not be made more than six months prior to the requested effective date.

¹¹Select if you are the current Code Holder

¹²Select if you are not the current Code Holder

¹³The Applicant will indicate "YES" if the NXX being requested will be used for thousands-block number pooling and will leave this field blank if it is not.

¹⁴An incomplete form may result in delays in processing this request.

MTE Block

Page 1 of 3

Fax: 210-

2005

Thousands-Block Number Pooling Administration Guidelines (TBPAG) - Appendix 3

Revised: January 4, 2016

att

MONTHS TO EXHAUST and UTILIZATION CERTIFICATION WORK SHEET - TN Level¹ (Thousands-Block Number Pooling Growth Block Request)

Tracking Number: 843-SUMMERVL-SC-985538

Date: Monday,

OCN:635C

Company Name: TELEPORT COMMUNICATIONS

February 20, 2017 CIN. DESC AMERICA - SC - LLC

Rate Center: SUMMERVL

List all Codes NPA(s)-NXX(s) and Blocks NPA(s)-NXX-X(s)²:843-879-5

Name of Block Applicant: <u>Tammy Bryant</u> Signature: <u>Tammy Bryant</u>

Title: Sr. Specialist - Network Support Phone: 908-537-0179-

893-2281

E-Mail: tbryant@att.com

A. Available Numbers: 652

B. Assigned Numbers: 348

C. Total Numbering Resources: 1000

D. Quantity of numbers activated in the past 90 days (increments of 1,000 or 10,000) and excluded from the Utilization calculation 3:0

List

Excluded Code(s) or

Block(s):

Month Month

<u>55 55 55 55 55</u> 55

Page 2 of 3

E. Growth History - Previous 6 months⁴

F. Forecast

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6):503.0

H. Months to Exhaust⁶

Numbers Available for Assignment to Customers (A)

Average Monthly Forecast (G)

Block Requested	Available Numbers	Months To Exhaust
1	652	1.296
2	1652	3.284
3	2652	5.272

I.

Utilization⁷ Assigned Numbers (B) X 100 = 34.8

Total Numbering Resources (C)-Excluded Numbers (D)

Explanation:

¹A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.

²Report on all resources for the requested geographic area, including newly acquired blocks/codes.

³Quantity of numbers activated in the past 90 days is based on blocks and/or codes received from the administrator and shall be reported in increments of 1,000 or 10,000 TNs (e. g.: 2 blocks received=2,000 and 1 code received=10,000).

⁴Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month 1, and Month 6 as the current month.

⁵Forecast of TNs needed in each following month, starting with the most recent month as Month 1.

⁶To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (47 CFR § 52.15 (g) (4) (iii)).

⁷Newly acquired numbers may be excluded from the Utilization calculation (47 CFR § 52.15 (g)(4) (ii))

Thousands-Block Number Pooling Administration Guidelines (TBPAG) - Part 3

Revised: January 4, 2016 Pooling Administrator's Response/Confirmation

Tracking Number:	843-SUMMERVL SC-985538		
Date of Application:	02/20/2017	Effective Date:	
Date of Receipt:	02/20/2017	Date of Response:	02/20/2017
Service Provider Name:	TELEPORT COM	MUNICATIONS AME	RICA - SC - LLC
(LERG TM Routing Guide ¹) OCN:	636C		
Parent Company OCN:	7125		
NPAC SOA SPID :	A A A A A A A A A A A A A A A A A A A		
Pooling Administrator C John Auerbach	ontact Information Phone		925-363-8706
Signature of Pooling Add	ninistrator		
John Auerbach	Fax:		925-363-7684
Name (print)			
Email:	<u>John.a</u> ı	uerbach@neustar.bi	iz
NPA-NXX or NPA-NXX-X :	В.	lock Assigned:	
		lock Reserved :	
		lock Reservation	
		piration Date : lock/Code	
		odified:	
		ock/Code sconnected :	
Block Contaminated	(Yes or No):	and a second sec	
If yes, enter the num contaminated (1-1000			
Switch Identification	(Switching/POI) ² :	CHTNSCDTX5Z	

	Rate Center:	SUMMERVL
×	Form complete, request	denied.
*********	Explanation:	
	DR-57: You do not meet this request for a new co State Waiver from the ap if you are in disagreemen	the MTE and/or Utilization requirements, therefore ode is denied. You may proceed with requesting a propriate state commission using this Part 3 denial. It with the disposition of this request, please refer to mber (NXX-X) Pooling Administration Guidelines for
	Request Withdrawn.	
	Explanation:	
************	Assignment Activity Sus Explanation:	pended by Administrator.
	Explanation,	
Rei	marks:	
		

¹ Telcordia[©] is a registered trademark and LERGTM Routing Guide and iconectivTM are trademarks and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

² This is an eleven-character descriptor provided by the owning entity for the purpose of routing calls. This must be the Common Language[®] Location Code (CLLITM Code) of the switching entity/POI shown on the Part 1A form. Common Language[®] is a registered trademark and CLLI is a trademark and the Intellectual Property of Telcordia Technologies, Inc. dba iconectiv.

STATE OF SOUTH CAROLINA)	
)	CERTIFICATE OF SERVICE
COUNTY OF RICHLAND)	

The undersigned, Marti Sawzak, hereby certifies that she is employed by the Legal Department for AT&T South Carolina and that she has caused AT&T South Carolina's Petition for Review of Numbering Resources Determination in the Columbia Rate Center to be served by the method indicated below upon the following this **22nd** day of **February, 2017**:

Thomas C. Foley
Sr. NPA Relief Planner – Eastern Region NANPA
NeuStar – NANPA
820 Riverbend Blvd.
Longwood, FL 32779-2327
(Electronic Mail)

Ms. Kimberly Miller Regulatory Policy Attorney NeuStar-NANPA 2000 M Street, NW, Suite 600 Washington, DC 20036-3328 (Electronic Mail)

Wayne Milby Sr. NPA Relief Planner NueStar-NANPA 8385 Yahley Mill Rd. Richmond, VA 23231 (Electronic Mail)

Mr. John Manning Director NANPA Regional Offices 46000 Center Oak Plaza Sterling, VA 20166 (Electronic Mail) John Auerbach
Neustar National Pooling Administrator
1800 Sutter Street
Suite 780
Concord, CA 94520
(Electronic Mail)

Linda Hymans
Sr. Mgr. Regulatory Compliance – Neustar Pooling Admin.
1800 Sutter Street
Suite 780
Concord, CA 94520
(Electronic Mail)

F. David Butler, Esquire General Counsel S. C. Public Service Commission Post Office Box 11649 Columbia, South Carolina 29211 (PSC Staff) (Electronic Mail)

Jocelyn G. Boyd, Esquire Chief Clerk S. C. Public Service Commission Post Office Box 11649 Columbia, South Carolina 29211 (PSC Staff) jocelyn.boyd@psc.sc.gov (Electronic Mail)

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Florence P. Belser, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, SC 29201 (Electronic Mail) Jeffrey M. Nelson, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, SC 29201 (Electronic Mail)

Marti Sawzak

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